

REMARKS

Claims 1-96 are pending. Claims 1-96 are rejected. Applicants respectfully request reconsideration of the present application in view of the amendments above and the remarks set forth below.

REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1-96 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,917,405 to Joao (hereinafter “Joao”) in view of U.S. Publication Number 2004/0090950 to Lauber et. al. (hereinafter “Lauber”) and U.S. Patent Number 5,400,246 to Wilson et. al. (hereinafter “Wilson”).

Joao teaches a control apparatus for a vehicle that includes a first control device that generates and transmits a first signal for activating, deactivating, enabling, and disabling one of a vehicle component, a vehicle device, a vehicle system, and a vehicle subsystem. (Abstract)

Lauber teaches a wireless data telemetry system that utilizes a plurality of analog RF channels for transmitting Mobile Data Packet Protocol (MDPP) packets between a tower site controller or remote base and a number of mobile data units. (Abstract) Wilson teaches a peripheral data acquisition, monitor, and adaptive control system. (Abstract)

Neither Joao, Lauber, Wilson nor the combination of Joao, Lauber, and Wilson teach or suggest all the claim limitations of amended claim 1. Amended claim 1 recites a sensor configured to obtain data that is of an environmental nature. The control apparatus of Joao are designed mostly for vehicles such as automobiles, marine vessels, and aircrafts (col. 18., lines 24-40). The control apparatus of Joao receives data from a vehicle ignition system, a fuel pump system, and a vehicle equipment system such as an alarm and a power door lock system (FIG. 1

and col. 22, lines 24-60). The data from Joao is not of an environmental nature as recited in amended claim 1. For example, the vehicle equipment system in FIG. 1 includes monitoring devices for reading and/or monitoring vehicle fuel supply, water and/or coolant supply, electrical generator and/or alternator operation, battery charge level, and/or engine temperature level and/or any other vehicle operation and/or system function. The data from the monitoring devices all relate to the vehicle but not to the environmental nature as recited in claim 1.

Joao in other embodiments teaches a control apparatus for residences (FIG. 15) and commercial property (FIG. 16). The control apparatus in Joao does receive data from an electrical system, central heating system, air conditioning system, water system, equipment system, and a thermostat (col. 62, line 65 – col. 63, line 23). However, the data from these devices are not of an environmental nature as recited in claim 1. Instead, the devices read and monitor data that indicates conditions internal to the home and the commercial property.

Applicants have amended claim 1 to further distinguish claim 1 from Joao. Amended claim 1 recites a battery configured to provide primary power to the control board and a solar panel configured to recharge the battery. Joao teaches a back-up and/or supplemental power supply that may be solar powered and/or be constantly chargeable by a vehicle recharging and/or alternator system. One limitation with this teaching in Joao is that the solar power is a back-up and/or supplemental power supply of the apparatus in Joao. On the other hand, amended claim 1 recites that the battery provides primary power to the control board as opposed to being the back-up as in Joao. Additionally, the solar power relates to the control apparatus for vehicles, which as discussed above does not include data that is of an environmental nature. Amended claim 1 advantageously provides primary power to the control board through a battery and uses a solar panel to recharge the battery to provide the ability for the apparatus of amended claim 1 to be

used in remote locations where commercial power may not be available. Therefore, claim 1 is allowable for at least the above stated reasons over Joao.

The Office Action cites Lauber and states that “the microprocessor places data collected from sensors into data packets and transmits the packets via wireless communications.” The data packets in Lauber include GPS positioning data and data from an optional customer configurable sensor accessory package. The data from the sensors in Lauber are from monitoring of functions such as vehicle weight, tank level indicators, fixed telemetry application, alarm monitoring, and the status of most electrical and mechanical application (paragraph 105). However, these sensors are for vehicles carrying mobile units. None of the data from Lauber teach or suggest data that is of an environmental nature as recited in amended claim 1. Lauber does teach temperature sensors in paragraphs 416 and 417 and FIG. 41. However, these temperature sensors are for refrigeration and freezer trucks and are not of an environmental nature as recited in amended claim 1.

Also, Lauber teaches that “the present invention may also be employed in conjunction with gasoline, diesel, alternate fuel and/or electrically powered and/or propelled vehicles.” (col. 18, lines 37-40.) Amended claim 1 recites a battery configured to provide primary power to the control board and a solar panel configured to recharge the battery, which limitations are not taught or suggested in Lauber. Therefore, claim 1 is allowable for at least the above stated reasons over Lauber.

The Office Action recites that it would have been obvious to one skilled in the art at the time the invention was made to incorporate the control board, and microprocessor including data packet and transmission capabilities of Lauber into the system of Joao “since this would have facilitated collection and transmission of data [to the] since data packets help ensure integrity with regards to the transmission of data via wireless communication.” Applicants respectfully

traverse any suggestion that one skilled in the art would have combined Lauber into the system of Joao. Separating data into data packets with headers and payload is used in communications for routing or switching an appropriate amount of data. This helps routing and/or switching of packets to handle a consistent, appropriate amount of data and provides a format for transmission of data but does not necessarily help ensure the integrity of the transmission of data in Joao. Thus, one skilled in the art would not have combined Lauber into Joao. Therefore, claim 1 is allowable for at least the above stated reasons over Joao and Lauber.

Wilson teaches a peripheral data acquisition, monitor, and adaptive control system. (Abstract). The control system in Wilson does receive data from a fire and security alarm system (FIG. 2, col. 9, lines 27-68), various household appliances (FIG. 8A, col. 24, lines 18-30), an analog thermometer for a water heater (FIG. 8C, col. 26, lines 5-20), a radio frequency security system for an automobile dealer (FIG. 12, col. 33, lines 28-46). As in Lauber, the data from these alarm and security systems and household appliances in Wilson are not of an environmental nature as recited in claim 1. Instead, the data in Wilson indicates conditions internal to households and vehicles. Therefore, claim 1 is allowable for at least the above stated reasons over Wilson.

Claims 2-36 are dependent either directly or indirectly from claim 1 and are allowable for at least the same reasons as claim 1 over Joao, Lauber, and Wilson. Applicants respectfully request for withdrawal of the rejections and allowance of claims 2-9 and 19-36.

Claim 37 has been amended to contain similar limitations to amended claim 1 and is allowable for at least the same reasons as claim 1 over Joao, Lauber, and Wilson. Claims 38-54 are dependent either directly or indirectly from claim 37 and are allowable for at least the same reasons as claim 37 over Joao, Lauber, and Wilson.

Claim 55 has been amended to contain similar limitations to amended claim 1 and is allowable for at least the same reasons as claim 1 over Joao, Lauber, and Wilson. Claims 56-72 are dependent either directly or indirectly from claim 55 and are allowable for at least the same reasons as claim 37 over Joao, Lauber, and Wilson.

Claim 73 has been amended to contain similar limitations to amended claim 1 and is allowable for at least the same reasons as claim 1 over Joao, Lauber, and Wilson. Claims 74-89 are dependent either directly or indirectly from claim 73 and are allowable for at least the same reasons as claim 73 over Joao, Lauber, and Wilson.

Claim 90 has been amended to contain similar limitations to amended claim 1 and is allowable for at least the same reasons as claim 1 over Joao, Lauber, and Wilson. Claims 91-94 are dependent either directly or indirectly from claim 90 and are allowable for at least the same reasons as claim 90 over Joao, Lauber, and Wilson.

Claim 95 has been amended to contain similar limitations to amended claim 1 and is allowable for at least the same reasons as claim 1 over Joao, Lauber, and Wilson. Claims 96 is dependent from claim 95 and is allowable for at least the same reasons as claim 95 over Joao, Lauber, and Wilson.

CONCLUSION

Therefore, in view of the above remarks this application is in condition for allowance, and the Examiner is respectfully requested to allow this application. The Examiner is invited to contact Applicants' undersigned representative regarding any issues that the Examiner feels are still outstanding.

Respectfully submitted,

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